

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**CARLOS ABREU**

**Plaintiff,**

**9:14-cv-1529  
(GLS/DJS)**

**v.**

**DR. KOOL *et al.***

**Defendants.**

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**APPEARANCES:**

**OF COUNSEL:**

**FOR THE PLAINTIFF:**

CARLOS ABREU  
Plaintiff, *Pro Se*  
99-A-3027  
Green Haven Correctional Facility  
P.O. Box 4000  
Stormville, New York 12582

**FOR THE DEFENDANTS:**

HON. ERIC T. SCHNEIDERMAN  
New York State Attorney General  
615 Erie Boulevard West, Suite 102  
Syracuse, New York 13204

KEVIN M. HAYDEN  
Assistant Attorney General

**Gary L. Sharpe**  
**Senior District Judge**

**ORDER**

The above-captioned matter comes to this court following a Report-

Recommendation and Order by Magistrate Judge Daniel J. Stewart, duly filed on August 4, 2016. (Dkt. No. 49.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Report-Recommendation for clear error, it is hereby

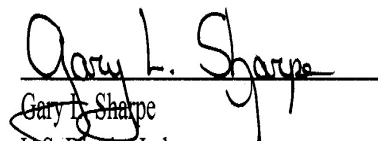
**ORDERED** that the Report-Recommendation and Order (Dkt. No. 49) is **ADOPTED** in its entirety; and it is further

**ORDERED** that defendants' motion for judgment on the pleadings (Dkt. No. 41) is **DENIED**; and it is further

**ORDERED** that the clerk of the court serve a copy of this order upon the parties in accordance with this court's Local Rules.

**IT IS SO ORDERED.**

September 7, 2016  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge